

translation

PATENT COOPERATION TREATY

PCT

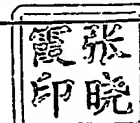
PCT Application
PCT/CN2003/000978



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference PF030018PCT		FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/CN03/00978	International filing date (day/month/year) 18 .NOV. 2003 (18.11.03)	Priority date (day/month/year) 18. NOV. 2002 (18.11.02)	
International Patent Classification (IPC) or national classification and IPC IPC 7: G08G1/00			
Applicant FENG Lumin			
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>4</u> sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>			
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input checked="" type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input checked="" type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>			
Date of submission of the demand 17.JUN.2004 (17.06.04)		Date of completion of this report 09.MAR.2005 (09.03.05)	
Name and mailing address of the IPEA/ 6 Xitucheng Rd., Jimen Bridge, Haidian District, 100088 Beijing, China		Authorized officer 张晓霞	
Facsimile No. 86-10-62019451		Telephone No. 010-62085838	



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

- ☐ the international application as originally filed/furnished
- ☒ the description:
- | | | |
|---------|------|-------------------------------|
| pages | 1-24 | as originally filed/furnished |
| pages * | | received by this Authority on |
| pages * | | received by this Authority on |
- ☒ the claims:
- | | | |
|---------|------------------|---|
| pages | | as originally filed/furnished |
| pages * | 25, 26, 26A, 26B | as amended (together with any statement) under Article 19 |
| pages * | | received by this Authority on |
| pages * | | received by this Authority on |
- ☒ the drawings:
- | | | |
|---------|-----|-------------------------------|
| pages | 1-8 | as originally filed/furnished |
| pages * | | received by this Authority on |
| pages * | | received by this Authority on |
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

This questions whether the claimed invention appears to be novel, to involve an inventive step (to be non obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application

☒ claims Nos. 11, 13-15

because:

☒ the said international application, or the said claims Nos. 11, 13-15

relate to the following subject matter which does not require an international preliminary examination(*specify*):

The independent claim 11 relates to an "instruction format", its subject matter is mere presentation of information, so its subject matter belongs to PCT Rule 67(v).

The claims 13-15 relate to a method, their subject matters are the method of performing purely mental acts, so their subject matters belong to PCT Rule 67(iii).

☐ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. _____ are so unclear that no meaningful opinion could be formed (*specify*):

☐ the claims, or said claims Nos. _____ are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for said claims Nos. _____

☐ the nucleotide and/or amino acid sequence listing does not comply with the standard provided for in Annex C of the Administrative Instructions in that:

the written form

☐ has not been furnished

☐ does not comply with the standard

the computer readable form

☐ has not been furnished

☐ does not comply with the standard

☐ the tables related to the nucleotide and/or amino acid sequence listing, if in computer readable form only, do not comply with the technical requirements provided for in Annex C-bis of the Administrative Instructions.

☐ See Supplemental Box for further details.

Box No. IV Lack of unity of invention

1. ☐ In response to the invitation to restrict or pay additional fees the applicant has:

- ☐ restricted the claims.
- ☐ paid additional fees.
- ☐ paid additional fees under protest.
- ☐ neither restricted nor paid additional fees.

2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose, according to Rule 68.1, not to invite the applicant to restrict or pay additional fees.

3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is

- ☐ complied with.
- ☒ not complied with for the following reasons:

the independent claim 1 relates to an intelligent traffic system including vehicle terminals. The independent claim 4 relates to a vehicle terminal for an intelligent traffic system. The independent claim 10 relates to an equipment which will remind drivers when the real direction of a vehicle and the set direction of the vehicle is not same. The independent claim 12 relates to a method for collecting road information. There are not the same or corresponding special technical features between the independent claims 10, 12 and the independent claims 1, 2, between the independent claim 10 and the independent claim 12, so there is not the unity between the independent claims 10, 12 and the independent claims 1, 2, between the independent claim 10 and the independent claim 12.

4. Consequently, this report has been established in respect of the following parts of the international application:

- ☒ all parts.
- ☐ the parts relating to claims Nos. _____

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)	Claims 1-10,12	YES
	Claims	NO
Inventive step (IS)	Claims 1-9	YES
	Claims 10,12	NO
Industrial applicability (IA)	Claims 1-10,12	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The following D5 and D6 are searched during the international preliminary examination phase.

D5: CN1303077A

D6: CN1363482A

The subject matter of the independent claim 10 is distinguished from the prior art disclosed in D5 (see the whole document of D5) mainly in that:

using "direction light switch" in stead of "direction measuring and controlling instrument".

But the above distinguishing feature is a common mean to the person skilled in the art. The combination of D5 and the above common mean would be obvious for the person skilled in the art. Consequently, the subject matter of the independent claim 10 lacks inventiveness(PCT Article 33(3)).

The subject matter of the independent claim 12 is distinguished from the prior art disclosed in D6 (see the whole document of D6) mainly in that:

①the information is road information;

②sending requests to the vehicles.

But the above distinguishing features are common means to the person skilled in the art. The combination of D6 and the above common means would be obvious for the person skilled in the art. Consequently, the subject matter of the independent claim 12 lacks inventiveness(PCT Article 33(3)).

Claims 1-9 meet the criteria set out in PCT Article 33(2)-(3). Because the prior arts do not teach or fairly suggest all features in the claims .

Claims 1-10, 12 meet the criteria set out in PCT Article 33(4).